

ADMINISTRATION OF TRAFFIC  
ENFORCEMENT  
WITH SPECIAL REFERENCE TO DELHI

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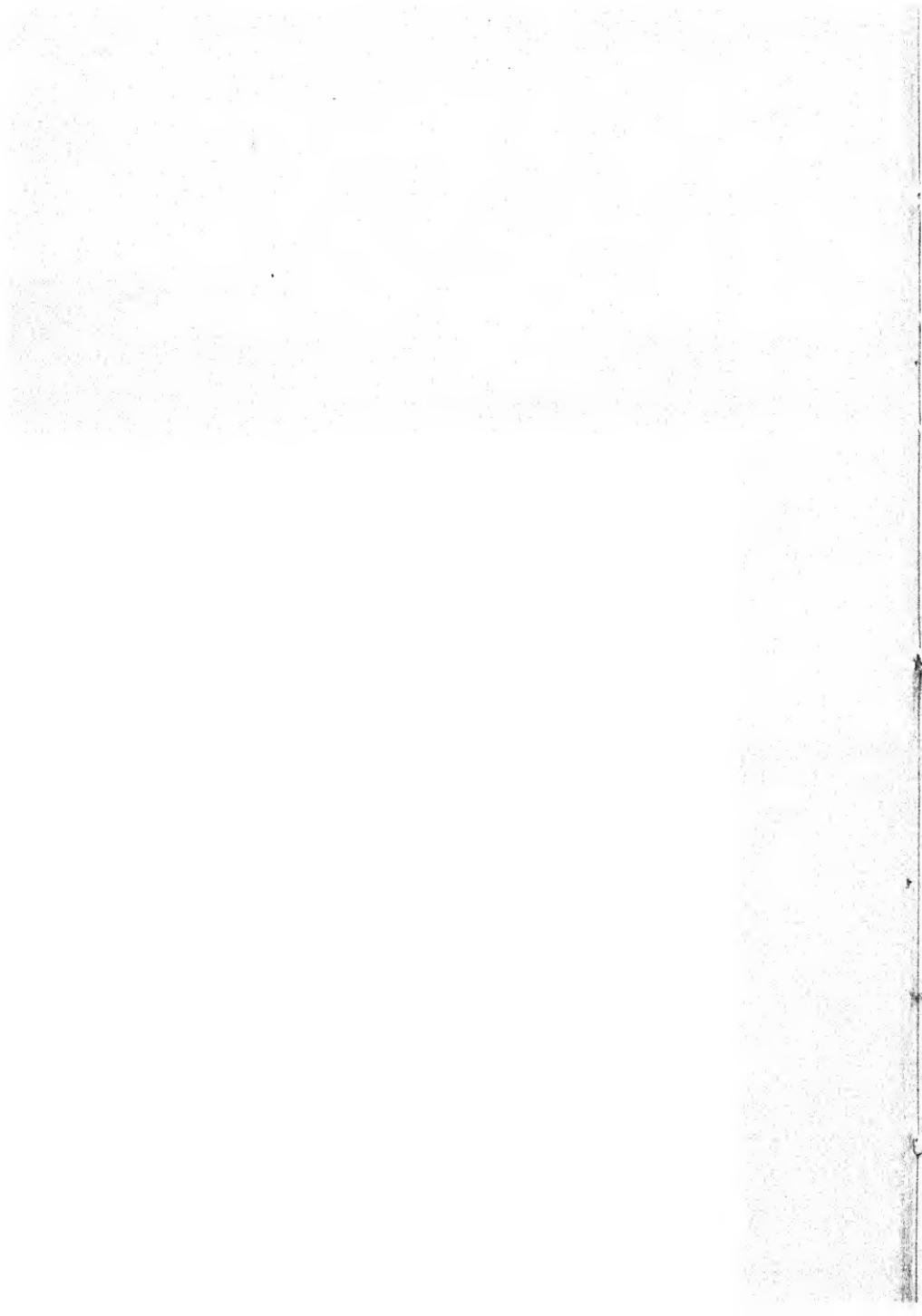


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## ADMINISTRATION OF TRAFFIC ENFORCEMENT

WITH SPECIAL REFERENCE TO DELHI

### INTRODUCTION

In the recent past, the road traffic problem has increasingly exhibited its growing magnitude, and, in big cities, drawn sufficient attention of the public and the government. The germs of this national disease are finding suitable climate even in smaller cities and towns. Too often when the problem is felt in its enormity at different occasions further reinforcement of the traffic police is considered to be a solution to the problem. This analysis is as false as it is brisk. So starkly simple a solution could not be applicable to so complex a problem without other more relevant considerations. Without such considerations Parkinson's law starts functioning and there can be no limit to the man-power requirement.

There seem to be two fundamental requirements for the proper administration of traffic enforcement, *viz.*, (i) adequacy of traffic and transport laws and their understanding to enforcement agencies and to the public, and (ii) enforcement of these laws with the highest possible efficiency and with minimum manpower. In the following pages these requirements with the available 'know-how' have been discussed at some length with special reference to Delhi but the same could be true of other urban areas as well. Due to the limited space and necessity here the discussion has not been made comprehensive.

Administration of driving licences is another aspect of traffic enforcement which has been mentioned in this paper. Traffic courts, which have a direct influence on the administration of traffic enforcement, have been dealt with separately elsewhere.\*

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\*Unpublished report on Delhi Traffic Courts by T.S. Khanna, March 1959.

## TRAFFIC & TRANSPORT LAWS

People have often felt that the traffic laws, regulations and controls are an encroachment on their freedom to use the road and that as individuals they know better how to use the road rather than be told by the traffic authorities. Probably this attitude is correct from an individual's point of view but from the point of view of the public this is not a correct view and cannot be accepted and 'Keep to the Left' rule alone cannot serve the present-day traffic needs.

Road traffic laws are created and enforced basically for three reasons: (i) for promoting public safety, (ii) for promoting public convenience, and (iii) free circulation. Free circulation, safety and economic considerations are the three conflicting factors in road traffic which deserve due attention in traffic laws.

Some of the basic considerations in formulating traffic laws should be that : (i) they will have the public acceptance, (ii) they can be enforced, (iii) they show direct advantage as far as public safety, public convenience, traffic circulation or economic considerations are concerned, and (iv) they are brief, consistent, clear and comprehensive.

Most reasonable traffic laws can be sought through actual traffic studies and surveys of public requirements. Studies of accidents, drivers, vehicles, road-users' behaviour, and other traffic studies help in creating the required traffic laws and eliminating the political influences and undesirable approaches to the problem. But, instead of having this scientific approach to the problem, the regulations, in the past, have been adopted on an *ad hoc* basis, particularly when the traffic conditions become so disorderly that the traffic authorities are pressed to the point of adopting any and every regulation. As a result of this action by central, state and local authorities, the traffic laws become numerous and scattered and quite often at variance with public habits or demands and sometimes even contradictory. Such laws become beyond the grasp of both public

and enforcement authorities and too much police staff is required to enforce them.

Speaking particularly of Delhi, there is no single publication in which Delhi traffic laws are given. Delhi traffic laws are guided by the Motor Vehicles Act of 1939; Hackney Carriages Act; Indian Penal Code; N.D.M.C. by-laws; Delhi Municipal Corporation Act; Punjab Municipal Act; Police Act, S. 34; Bombay Police Act, S. 33; and the Delhi Motor Vehicle Rules. The Delhi Motor Vehicle Rules have been framed under Sections 21, 41, 65, 68, 70 and 91 of the Motor Vehicles Act. Notifications by the Chief Commissioner, Delhi, have been issued from time to time under Sections 129A, 7(6), 86(2), 75(2), 73, 75(4), 88, 129 and 90 of the Motor Vehicles Act. As a result, the laws are so scattered that it is even difficult to get hold of them and yet they cannot be called comprehensive and leave out some important points for traffic safety.

Much as it is desired that the motor vehicle rules or other rules should be as brief as possible specifications regarding the body and equipment should be made very clear in the rules. Particularly, the specifications, which guide the design of the vehicle body and which have to be translated in the form of drawing or those required to be carried out in the workshop, should be explained in full detail in the rules. The Delhi Motor Vehicle Rules need a revision from this point of view.

Uniformity of traffic laws throughout the country is another important aspect which cannot be overlooked. Some of the advantages of adopting uniform traffic laws are that : (i) greater understanding between vehicle operators and enforcement agencies is created, (ii) the safety equipment of larger vehicles is standardized and the cost of operation is reduced as vehicles built in one state are able to travel throughout the country, (iii) many artificial highway barriers such as differing size and weight restrictions are removed and transportation costs are reduced as a result of the reduced amount of handling, and (iv) many problems of road safety and of road engineering are simplified.

Accordingly, uniformity of the traffic and motor vehicle rules of Delhi with the bordering states like U.P., Rajasthan and Punjab is of urgent necessity. The maximum permitted load on road surface differs from Delhi to Punjab. In Delhi the maximum permissible laden weight is 12 tons and in Punjab it is 11 tons. This amounts to the same truck regarded as overloaded when it travels from Delhi to Punjab. In the absence of any uniform policy regarding the number and conditions of issue of regular permits for particular routes and due to the tempting pressure from the transport demand some operators register the same vehicle in Delhi as well as in Rajasthan or Punjab and change the number plate at the border. There are several other difficulties which arise due to non-uniformity of policies and rules regarding transport and traffic. Under such circumstances administration of traffic enforcement becomes difficult.

Traffic surveys and studies indicate that Motor Vehicles Act of 1939 as revised in 1957 does not fully satisfy the present-day needs of traffic rules and laws. A glance at the Motor Vehicles Act indicates the following few points, which may perhaps be mentioned to some advantage:

1. Section 7, sub-section 6(b) (MVA), gives exemption of driving test if the applicant holds a licence issued by a competent authority outside India.

Such exemption should not be permissible under any circumstances as the traffic laws, traffic signs and traffic habits in foreign countries are bound to differ from those prevalent in India. In the U.S.A., where uniformity of traffic laws has been achieved considerably, driving licence issued by one state is not necessarily valid in another state when the licence-holder has moved into that state with the intention of permanently settling there.

Similar restriction should be imposed in India too by amendment in the First Schedule, Form D-(MVA).

2. Section 11, sub-section 3 (MVA), fixes licence renewal fee at Rs. 9/- for three years. Prior to the amendment renewal fee was Rs. 3/- per year.

Licensing fee and renewal fee should be adequate to do a good licensing job and no part of it should be used for general revenue purposes. So the renewal fee should be revised, if necessary, in this light.

3. Section 117 (MVA) deals rather leniently with drunk driving cases.

Drunk driving is a very serious offence and this section should be amended so that every person who is convicted for the first time of a violation of this section should be punished by imprisonment for not less than 7 days and not more than 3 months and in addition, at the discretion of the court, fine not amounting to more than Rs. 200/- . For a subsequent offence if committed within three years of the commission of a previous similar offence the offender should be punished by imprisonment for not less than three months nor more than two years and fine not less than Rs. 200/- and not more than Rs. 1,000/- .

4. Section 130, sub-section 1(b), needs amendment.

Seemingly according to this section a person pleading guilty before the date of hearing by a registered letter cannot be fined more than Rs. 25/- if the offender chooses not to appear in the court. If he appears in the court he can be fined up to Rs. 100/- for the same offence under section 112 (MVA). There is a necessity of further clarifications for more clear interpretation.

Section 130, sub-section 1(b), also affects the discretion of the court in the following offences: (i) driving without a licence or without a licence applicable to the vehicle, (ii) allowing a licence to be used by another person, (iii) driving when mentally or physically unfit to do so, (iv) failing to stop when required, (v) driving an unregistered vehicle, (vi) driving a vehicle in contravention of section 42 and section 73 (MVA), (vii) driving without a certificate of fitness or driving a vehicle in unsafe condition, (viii) driving in contravention of rules made under section 70(2) (g) (MVA). These offences and particularly the offences (i), (iii) and (iv) mentioned above are too serious to limit the court's discretion to a fine of not more than Rs. 25/- when the offender pleads guilty by a registered letter and does not appear in the court.

In the light of the above discussion it is suggested that in section 130 (1) (b) the limit of the sum to be remitted to the court may be raised to Rs. 100/- from Rs. 25/- as it exists now.

According to section 130, sub-section (2), the offender does not have to necessarily appear in the court if he has committed any offence listed in Part B of the Fifth Schedule of the MVA. Some of these offences such as overspeeding, S. 115 (MVA), allowing a licence to be used by another person, S. 6(2) (MVA), are too serious not to require the offender to appear in the court. At least for the second offence of overspeeding within a year the offender should be required to appear in the court.

5. Schedule IV of the Motor Vehicles Act gives the design specifications for road signs. The design for road signs given in this schedule needs a revision from the point of view of their "attention catching value" or effectiveness for the different types of road-users.

This schedule deals with only a few signs. There are a number of other signs on the design and colour specifications of which must be included in this schedule. If all the different types of road signs are included in this schedule, it will further have the advantage of bringing about uniformity throughout the country.

It is therefore essential that uniform traffic laws are drafted and adopted throughout the country. These laws should necessarily meet the present traffic needs as are indicated by traffic and transport studies. Furthermore, to bring about uniformity in traffic laws, as far as possible, in different cities, model road traffic rules should be drafted which may be adopted by the different municipalities with minor adjustments suiting their conditions. Good progress has been made in the U.S.A. by drafting a 'Uniform Motor Vehicle Code' and 'Model Traffic Ordinance'.

For sound administration of traffic enforcement, uniform traffic and transport laws suiting traffic needs are the first requisite and for Delhi there is a need to bring all traffic and transport laws under one cover.



## ENFORCEMENT AGENCY

Organization of traffic police, its management, techniques, tactics and subsequently even recruitment or selection call for attention to adjust them for answering the present and future traffic enforcement needs with greater efficiency and purposefulness. For high quality and efficient administration of traffic enforcement a new outlook is warranted. What is wanted is the type of traffic supervision and enforcement which should aim at achieving greater public safety and convenience and sound economic development of the conditions suitable and usable by the different types of road-users. The old ideology 'enforcement for the sake of enforcement' should be discarded in the field of road traffic and transport. 'Only strong back and commonsense' theory for enforcement is not applicable in this field. In the hard pressed economy of the country, highest performance quality must be achieved with an economical level of manpower. This should be the first consideration for improving the administration of traffic enforcement.

### *Quantity and Quality*

In the past, no method has been employed for judging impersonally the manpower requirement for traffic enforcement purposes or the quality of their performance at any one time. Now, it seems essential that the manpower need and the quality of enforcement are impersonally judged with some measure of accuracy for adjusting the manpower to the most economical level and improving enforcement quality to the desired level.

Experience in some other countries has shown that the number of personnel required for traffic enforcement has its minimum and maximum limits. It has been well said that traffic enforcement is like hitting a nail. Hitting softly is as bad as not hitting at all. On the other hand, without correct assessment manpower employed usually goes beyond the

point where it brings no useful results and on the contrary antagonizes public. This point is called 'Saturation Point'.

According to the police rules, as prevalent in Delhi, one head constable is given for every ten constables and one upper subordinate is given for every forty constables. But this rule has no application for traffic enforcement purposes. According to an American method an estimate of manpower needs can be made by means of 'Enforcement Index' (E.I.) which is defined as the ratio of the number of convictions with penalty for hazardous and moving violations divided by the number of personal injury plus fatal accidents. The personnel requirement is then judged from the following formula.

$$N = \frac{\text{Enforcement Index} \times (\text{Fatal} \& \text{ Injury Accident})}{\text{Average number of challans} \\ \text{and arrests made per en-} \quad \left. \right\} \times \text{Conviction Rate} \\ \text{forcement unit}}$$

where N is the required number of enforcement units. Enforcement unit may normally consist of one man and sometimes of two men.

This criterion may not be directly applicable to our conditions but the necessary adjustments, after field studies, are not difficult to make.

A standard for judging the quality of traffic enforcement is necessary for two main reasons, *viz.*, (i) to know how badly the improvement is required, and (ii) to be able to measure the improvement after the necessary steps for such improvement have been taken.

For judging the quality of traffic enforcement nine standards have been formulated in the U.S.A. as given in Appendix I. Some adjustments in these standards are perhaps necessary to suit traffic conditions in India.

No matter what action is initiated for correctly assessing the manpower needs or increasing the same there is high priority and continuous need for improving the performance quality of the personnel available and accomplishing more with what is available at any one time.

For improving the quality of enforcement and achieving more with the available manpower, understanding and application of the principle of selective enforcement is an inescapable necessity. 'Selective enforcement' may be defined as the enforcement which is proportional to traffic accidents with respect to time, place and type of violations. First step for selective enforcement is to assign the personnel by time in accordance with the accident frequency. As a second step, area distribution of the personnel should depend upon accident distribution. In other words, the area covered by each traffic policeman may not necessarily be equal but accident experience in any two areas should be about the same. As a third step, attention should be given to the type of violations that are causing or likely to cause accidents. Incidentally it may be pointed out that in Detroit (U.S.A.) there were 337 fatal traffic accidents in 1937 and during the following year by selective enforcement method the number of fatal accidents was reduced to 196. Similar substantial reductions in accidents were indicated in Los Angeles, Seattle and other cities by this method. There were 126 and 167 traffic deaths in Delhi during 1958 and 1959 respectively. There is no doubt that by selective enforcement method this number can be considerably reduced even with the present manpower available for enforcement purposes. Application of selective enforcement is not as simple as it may sound in the first instance.\* It requires planning and training for which factual data are required as intelligent administration of this principle depends considerably on facts and the conclusions drawn therefrom.

The quality of enforcement is substantially affected by the quality of training the enforcement personnel are given. The question of adequate training to the traffic enforcement personnel for improving their performance quality to the desired level is a major administrative problem. The problem of lack of training is aggravated when traffic duties are assigned to untrained personnel who in due course of time are promoted to higher ranks where they themselves

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\*This has been discussed in some detail in the unpublished report on 'Delhi Traffic Police' by T.S. Khanna, May 1959.

feel out of place and are at a loss to conduct the subordinates for an efficient traffic programme. It is evident that good results cannot be promised if the traffic enforcement work is handled by the general policemen and officers. What complicates the problem is the fundamental ideological or policy question regarding the desirable degree of specialization in traffic for the traffic officers and the other enforcement personnel. "*Specialization alone can permit clear definition of activity and responsibility of the personnel and thus make it possible to evaluate the performance quality for improving the same*". But since specialization creates problems of placement of personnel, it would be advisable to use 'supplementary specialization' instead of 'exclusive specialization' at this stage. *Only after this question is decided the traffic police can be adequately trained and equipped and then so organized and deployed to meet the challenge of improving the performance and accomplish more with what is available.* No matter what other steps are taken to increase the manpower, to employ scientific aids or spend money in other forms the quality of enforcement cannot rise above the enforcement personnel. Whereas the question of selection and specialization should be taken up for consideration the in-service training programme should be started at the earliest to acquaint the enforcement staff with the *bare minimum traffic fundamentals in highly usable form*. The necessity for such training is much greater in the officers ranks and upper subordinate staff rather than only in lower subordinate staff. One such in-service training programme for officers and upper subordinates is given in Appendix II.

Traffic courts also influence the quality of enforcement. This subject has been discussed separately as mentioned earlier.

Physical improvements to tailor the roads to road-users' needs, as far as possible, is also essential. Such action makes compliance on the part of road-users easier and reduces the choice in decisions thereby improving the quick decision-making ability of road-users and broadens the latitude of action for them with decreased hazards as pointed

out by Franklin M. Kreml of the U.S.A. This would subsequently reduce the manpower requirement for enforcement purposes. Functional classification of roads alone can considerably affect reduction in the manpower requirement in Delhi.

Intensive public education in traffic further helps cut down manpower requirement to a certain extent.

## DRIVING LICENCES

There are a number of drivers on our roads who do not deserve to have the privilege of driving. Usually such drivers are a small minority of the total drivers but they are involved in a large majority of the total accidents. Experience in the U.S.A. has shown that 15% to 20% drivers are responsible for 80% of traffic accidents. Considerable attention is necessary for the enigma of bad driving. Too often the applicants are getting driving licences without a complete check regarding their ability to drive without being a hazard to other road-users. This is due to lack of properly equipped training school and training personnel and also due to almost absence of trained examiners for prospective drivers. As a first phase training programme for both drivers and examiners is necessary. There is a further necessity to sort out 'Jeckyle & Hyde type' of drivers who approach their licensing examination with apprehension and do well there but once they are licensed they are jubilant and least careful about the responsibility that goes with it. So, it is necessary to keep a continuous check on all the licensed drivers and take improvement action if and when found necessary. In the following few paragraphs administrative measures have been proposed to improve the quality of Delhi drivers and to eliminate those who are not road worthy.

### *Driver Education and Training*

A series of traffic offences are being committed by drivers of all types of vehicles every day in Delhi. Broadly speaking, these offences may be classified as: (i) offences committed due to ignorance; (ii) offences committed due to neglect or due to lack of understanding of the significance of a particular traffic rule; and (iii) offences committed intentionally. Intentional offences are comparatively few as compared to the other two types.

Intentional and neglect offences can be subsequently reduced by strict enforcement but the other types of offences cannot be appreciably reduced by enforcement. Even the most strict measures of enforcement cannot offer a 'cure-all' because they attack the symptoms rather than the disease.

Besides the absence of constant motive or incentive to drive well in Delhi, there seems to be a general lack of understanding of the social responsibility involved in driving. By most of the drivers driving is looked upon as something divorced from other phases of living—something to which religious, moral or social ethics do not apply. That is why even some of the best behaved society people who are fair-minded and courteous and who would never be wilfully guilty of the slightest infraction of the accepted social, business or moral codes, turn into aggressive and selfish personalities committing a variety of traffic offences as soon as they take the wheel. Much less could be expected of those drivers who have not had an opportunity or training of a good society.

"By experience we find out a shorter way by a long wandering. Learning teacheth more in one year than experience in twenty."—Roger Acchans.

It is a common fallacy that driving experience makes an expert driver. As in any other field, experience alone is not the best teacher in driving. It has been found in the U.S.A. that about 60% of the drivers involved in accidents had been driving for ten years or more and that fine and jail sentence does not necessarily improve the driver particularly when the basic driving knowledge and a knowledge of the desired attitude and skill is lacking. *Unsafe drivers are generally the end product of a lack of systematic training and experience in driving does not necessarily improve them. Delhi drivers are largely a product of inefficient and unsystematic training.*

For improving Delhi drivers' performance on road what is most needed is the effort to improve the skill and attitude of the drivers. This can best be done by conducting a well thought-out driver education and field training programme for existing as well as for new drivers. Besides

developing desirable character traits and a responsible attitude on road, such training should also influence the decision-making ability of drivers.

For this purpose, there is a necessity of starting a drivers' training school or a traffic school in Delhi. The traffic school should serve two main objectives, *i.e.*, (i) instilling the proper traffic attitude in the students, and (ii) improving the students' knowledge of traffic laws, driving techniques and limitations, road use and safety techniques, physical laws, and other factors connected with traffic operation and control. A proposed course to be conducted by this school is given in Appendix III.

To overcome the difficulty in getting the people interested and enrolled in this school for training, *it is suggested that the school may issue a diploma of 'Honours in Driving' to those who satisfactorily complete the course and pass the test.* Besides attracting the owner-drivers, the diploma course would also attract professional chauffeurs, heavy motor vehicle drivers etc., if the employers gave preference to the diploma holders at the time of selecting their drivers.

According to the commonly accepted principles training is more lasting and habits and attitudes formed more easily in the early years; it will therefore be advisable to invite Delhi University students to enrol themselves in the school.

### *Driver Examination and Licensing*

There is no other single activity in the field of traffic safety which can be nearly as effective in reducing accidents as an adequately planned and administered drivers' examination before an applicant is issued a driving licence.

It has been observed that the Delhi licensing authorities make full effort to check the driving ability of every applicant before he is issued a driving licence. But there are certain changes and additions which could be usefully incorporated in the examination system. With a view to improving the present examination system it is suggested :

(i) That the applicant be tested in his knowledge of traffic laws, road rules, road signs, markings and signals.

He should further be tested in eye-sight, colour-blindness, night-blindness, and hearing ability before he is issued a *learner's licence*. This test\* for issuing learner's licence should essentially consist of three parts, *i.e.*, (a) written test, (b) oral test, and (c) eye-sight, colour-blindness, night-blindness and hearing ability tests.

(ii) That the applicant when he returns for a driving licence should be tested in his driving ability. For testing the driving ability, test route should be carefully selected and scoring procedure should be standardized. In the present system of examination both these points need consideration and revision. Generally speaking, the test route \*\* should include: (a) at least two miles' driving, (b) situations for shifting gears, applying brakes, turning around and parking, (c) at least three left turns and three right turns, (d) congested road, free road and residential areas, (e) starting from and stopping on grade, (f) different types of important road signs, road markings and at least two traffic light signals, and (g) at least three types of important intersections. The present scoring system should also be amended and the examiner should have a scoring sheet on which the points for which the driver is to be tested are listed and marks distributed in accordance with the importance of each point.

(iii) That psycho-physical and psychological (driving attitude) tests should be introduced. Psychological tests for the recruitment of personnel for defence services are made use of to select the suitable persons. Similarly, psychological tests in selecting the persons suited for driving should be applied. Psycho-physical tests should particularly include: (a) reaction time test, (b) side-vision test, (c) distance-judgment test, and (d) glare effect test.

Such tests besides indicating the accident proneness of drivers also serve as a useful tool in pointing out his

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\* In case the applicant applies for a driving licence straightway without seeking a learner's licence the test proposed for learner's licence should also be given to him.

\*\* Minimum Driver Licence Examination Standards, American Association of Motor Vehicle Administration.

weak points on which he should be specially careful. It has been observed in some countries that psycho-physical and psychological tests are usefully effective in keeping away the timid, the incompetent and the inexperienced drivers—particularly those seeking licences to drive heavy motor vehicles, public vehicles and commercial vehicles (D.T.U. drivers, truck drivers, taxi drivers, etc.).

There are two essential features of driver examination which should be introduced in the present system of driver's examination in Delhi. They are that the examination should be : (i) valid, *i.e.*, it measures with accuracy and in a fool-proof manner the driving ability of the applicants; and (ii) reliable, *i.e.*, approximately the same results are obtained each time the test is conducted and the examinee shows the same performance even if examiners are different. To introduce these two features it is necessary that the whole system of examination and scoring procedure be revised.

There are three basic functions of driver's examination, *i.e.*, to ensure (i) that every applicant has had a certain amount of training before he is issued a driving licence, (ii) that those physically or mentally handicapped are not allowed to drive or else they be given restricted driving licence, and (iii) that the 'problem drivers' or 'accident-prone drivers' are either improved or eliminated. To serve these purposes fully there should be three types of examination, *i.e.*, (a) First examination for those seeking a driving licence for the first time, (b) Special examination for those licence-holders who may be reported to have developed any physical or mental handicap, and (c) Review examination of those whose driving record (through the point system discussed later) indicates that they need attention.

In Delhi at present there is only one type of examination conducted, *i.e.*, the First Examination. There is a need of introducing 'Special Examinations' and 'Review Examinations'.

There is a further need to train the examiners for conducting the examination on comprehensive and uniform basis so that the results are both reliable and valid.

It has been observed that at present in Delhi there are too many applicants to be examined by too few examiners on hourly basis. The driving test alone, if conducted properly, should take half an hour to 45 minutes. Total time required to examine one applicant including all tests mentioned earlier would be about  $2\frac{1}{2}$  hours. The number of trained examiners should be increased proportionately.

#### *Driver Checks and Improvement Measures*

Driver's examination alone cannot guarantee the driver's behaviour on the road after he gets the licence to drive nor it can always point out all the weaknesses or defects of the applicant which may ultimately adversely affect his driving performance. So, to ensure correct behaviour of drivers and to improve them whenever possible and eliminate them when not possible it is essential that a method is followed by which repeatedly-erring drivers may be sorted out for taking the necessary action.

For this purpose it is suggested that 'Point System'\* for judging drivers' performance should be followed. This would be a self-speaking system pointing out the drivers who need attention. Under this system different traffic offences are assigned different point values. When a driver is convicted of a particular offence, points for that offence are added on his permanent record. When the added points reach a particular limit action for his improvement is taken by contacting the driver.

It is suggested that 'Point System' should be started in Delhi to keep a close check on drivers. The point values

\*The records necessary for this system and other details as 'out of state' drivers have been discussed in the unpublished report 'Controlling Delhi Drivers' by T.S. Khanna, August 1959.

for different offences may be allotted as follows :

<i>Offence</i>	<i>Point Value</i>
Fatal accident conviction (Sec. 304A, IPC)	10
Driving under the influence of alcohol conviction (Sec. 117, MVA)	10
Injury accident conviction (Sec. 279, IPC, Sec. 117, MVA)	7
Driving while the licence is under suspension	7
Reckless driving and overspeeding, second conviction within a year	6
Overspeeding, second conviction within a year	5
Defective brakes, conviction (Sec. 121, MVA)	2
Moving violations of rules of the road traffic conviction	2
Warning on any moving offence	1
Driving when mentally or physically unfit to drive (Sec. 118, MVA)	1

Report of every offence committed by a driver should reach the State Motor Transport Controller's office where the point values should be recorded on the Master Record for each offending driver. The point value record should be for the preceding five years. Driver improvement action should be taken as follows:

- (a) When the point accumulation reaches three or above, the driver should be informed by an advisory letter that he has become conspicuous because of his driving behaviour and that he should exercise special care in future.
- (b) When the point accumulation reaches five or above, the driver should be interviewed with a view to enlisting his support in finding out as to what is wrong with him. The driving licence may be restricted, if necessary. Incidentally it may be pointed out that there is a necessity of provision in the Motor Vehicles Act, 1939, for restricting the driving licence.

- (c) When the point accumulation reaches seven, the driver should be called for a review examination. The driver should be checked on his weak points and informed as to where he should be particularly careful.
- (d) When the point accumulation reaches eight or above, the driver should be put on probation list and be informed accordingly.
- (e) The driving licence should be suspended as soon as the point accumulation touches ten.

There is a necessity of creating a driver improvement section which should take action as and when indicated by the 'Point System'.

#### *Suspension and Revocation of Driving Licences*

Suspension and revocation of driving licences has a special significance in improving the drivers' behaviour and their driving ability. It has been estimated that *in the U.S.A., fewer than 3% drivers whose licences were suspended for sometime ever risked a loss of this privilege for the second time. No amount of fines can have such dramatic effect on drivers.* Suspension and revocation of a driving licence has a penalty value combined with driver improvement value.

The practice of suspension and revocation of licences should be given more attention in Delhi. On all offences for which the suspension or revocation of licence is the penalty, the suspension of the licence should be made effective from the time the offence is committed.\* The driving privilege may be restored if the accused is not found guilty of the offence. This practice would eliminate the dangerous drivers immediately from the road and also help in *disposing of the cases quicker* when the accused not pleading guilty and contesting the case would be keen to get back his driving privilege at the earliest.

For the sake of clarity and uniformity in licence suspension and revocation policy, it is necessary that the offences

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\*This involves some legal points.

and punishment are well defined in Ss. 12, 15, 16 and 17 of the MVA. Driving licence should be revoked when a licensee is convicted of any one of the following offences:

- (a) Negligent homicide (fatal accident) from the operation of a motor vehicle (Ss. 304 and 304A, IPC).
- (b) Driving while under the influence of alcohol or narcotic drug (S. 17/117, MVA).
- (c) Operating a motor vehicle in the commission of any crime (S. 15, MVA).
- (d) Failure to stop and render aid and report the accident—particularly accident involving personal injury or death (Ss. 87 and 89, MVA).
- (e) Perjury or making a false affidavit or statement relating to ownership or other facts about the motor vehicle.
- (f) Second conviction of reckless driving within five years (S. 279, IPC & S. 17/116, MVA).
- (g) Physical or mental disability (S. 12, MVA).

For bringing about uniformity the time period for which the licence may be revoked for different offences is suggested below.

(a)	Fatal accident (Ss. 304 & 304A, IPC)	Two years
(b)	Drunken driving (Sec. 117, MVA): first offence within 5 years	One year
(c)	Drunken driving (Sec. 117, MVA) : second offence within 5 years	Three years
(d)	Reckless driving (Sec. 116, MVA & Sec. 279, IPC) : second offence within 5 years	Six months
	third, fourth, fifth offence within 5 years	One year
(e)	Hit and Run [Sec. (87(1)(c), MVA]	One year
(f)	Personal injury accident	One year
(g)	Overspeeding (Sec. 115, MVA): third offence within 5 years , fourth offence within 5 years	Six months
		One year

(h)	Perjury or making false statement about the vehicles	One year
(i)	Racing (Sec. 120, MVA) each offence	Six months

On all the above mentioned offences the driving privilege should be suspended from the time of the commission of the offence and restored if found not guilty by the court.

Driving licence should be revoked permanently when (a) the licensee is permanently disabled physically or mentally in an accident or otherwise, (b) all practical means for improving the accident-prone driver have been exhausted, and (c) the licensee is found driving or meets an accident while driving during the period when his licence is under suspension.



## A NEW CHALLENGE

The growth of the fast deteriorating problem of traffic cannot be arrested or even retarded by the past methods. No amount of artificial organizations like traffic safety committees, study groups, or any joint institutions etc., alone can usefully add to the squirting range of a syringe for getting at the heart of the problem. Now the logical question is 'Do we have to continue in this dismal way'. Some years ago the answer to this question was a rueful 'yes'. But not any more, not any more because the 'know-how'—the workable alternative—is available now as discussed in the preceding pages. Some of the structural features of the barriers that come in the way of the implementation of 'know-how' must be frankly and thoroughly examined now.

There is also a subsequent need to explain the gravity of the problem and justify heavy dividends for each rupee spent for efficiently solving it to the custodians of finances so that they would not insist on only homoeopathic dozes of finance sanctions.

This is only a preliminary look at the many-faceted problem of growing concern to us. Placidity about it will only reduce our chances of dealing effectively with it even at substantially higher costs later on.

Since the independence of our country, the history of administrative reforms is as rich as a history of fashions in any civilized society. The administration stands faced with yet another challenge—How far the available know-how in this field can be implemented? This new challenge will perhaps tax the ingenuity of even the most seasoned administrators and ultimately reflect the administrative maturity of the country in this field with which everyone is concerned. Such reforms as are warranted to deal with the traffic problem in Delhi shall have special significance in as much as Delhi is the capital city and may give lead to other big cities. Without the necessary action now, as we are, unlike some other countries, being abruptly exposed to this problem

instead of developing into it, we will be defeated by size and complexity of the job resulting in further traffic anarchy in Delhi and in other urban areas. Only after such reforms it can be possible to seek full public co-operation and train all road-users in traffic manners and safety reflexes characteristic of 'Pavlov's dogs' in order to make the best use of the resources and facilities available at any one time.

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## APPENDIX I

### *American Standards for Judging Traffic Enforcement Quality*

#### U r b a n

	In- effective*	Satis- factory**
<b>1. ACCIDENT SEVERITY OF REPORTING RATES</b>		
(a) Personal injury accidents per fatal accident	25	55
(b) Damage accidents per fatal accident	80	200
<b>2. ACCIDENT INVESTIGATION RATE</b>		
Accidents investigated per 100 accidents reported	55	95
<b>3. ACCIDENT ARREST RATE</b>		
Investigations resulting in arrests per 100 accidents investigated	30	55
<b>4. ACCIDENT VIOLATOR ARREST RATE</b>		
Persons in accidents arrested per 100 accidents investigated.	30	60
<b>5. HIT-AND-RUN CLEARANCE RATE</b>		
Hit-and-run cases cleared per 100 cases known	50	85
<b>6. HIT-AND-RUN ARREST RATE</b>		
Hit-and-run drivers arrested per 100 cases known	35	80
<b>7. THE ENFORCEMENT INDEX OR RATE</b>		
Convictions with penalty paid for hazardous traffic law violations per motor vehicle traffic accident resulting in injury or death.	10	20
<b>8. CONVICTION RATE FOR ACCIDENT ARRESTS</b>		
Convictions per 100 accident arrests	80	95
<b>9. TRAFFIC CONVICTION RATE</b>		
Convictions per 100 arrests for hazardous violations.	80	95

Notes : \* Ineffective performance or an unhealthy condition. If the actual figure in a community is less than this number, improvement should be fairly easy and definitely profitable. It is safe to recommend that steps be taken at once to improve this rate.

\*\* Satisfactory performance or a generally healthy condition. If the actual figure in a community is greater than this number, improvement would probably be hard and costly. It is likely that other things could be done to better advantage than trying to raise this value.

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## APPENDIX II

### *In-Service Training Programme for Traffic Enforcement Personnel*

1. Basic training programme for upper subordinates and upwards.

	<i>Subject</i>	<i>Hours of Lecture</i>
A. <i>Functions of the traffic police</i>	Direction; Enforcement; Accident investigation; Handling traffic cases; Supporting and co-operative activities of the traffic police; Field staff functions and office staff functions.	4
B. <i>Traffic Laws</i>	Why traffic laws—meaning and purpose; Interpretation of traffic laws; Motor Vehicles Act; Delhi Motor Vehicle Rules; New Delhi Municipal Committee and Delhi Corporation traffic by-laws; Safety Rules; Discussion.	10
C. <i>Enforcement</i>	Quantity factors for assessing personnel need; quality; selective enforcement; enforcement index; evaluation methods; taking enforcement action; traffic officer-violator relationship; enforcement alertness and procedure such as (i) detection, (ii) apprehension, (iii) prosecution and performance of duties in traffic courts—matters of law, procedure, evidence and presentation of the case; discussion.	20
D. <i>Some Aspects of Planning and Engineering Affecting Traffic</i>	Land use planning; Street systems and one-way streets; Traffic control devices such as signals, signs and markings; Traffic problems like congested spots or roads, hazardous spots and intersections; Traffic studies of pedestrians, cyclists, bullock-carts, motor vehicle traffic with respect to their road safety requirements and law observance; parking, loading and unloading areas;	

Subject	Hours of Lecture
Silence zones, road lighting, etc.; Reaction time, brake efficiency, stopping distance; Traffic observations; vehicle inspections; Planning for and handling special events; discussions.	14
E. <i>Scientific aids for traffic programme</i>	
Purpose and use of different scientific aids such as Protoclinic; Stop watch; Enoscope, Traffic counters, Rolotape, Radar, Investigators template; Alchometer, Camera, Telecounters, Parking Meters, Weighing machines etc.	2
F. <i>Traffic Accidents</i>	
(a) Types of accidents; Causes of accidents; Remedies for preventing accidents; Accident investigation—what it is and why it is important.	6
(b) Special Course on accident investigation and reporting for those required to work on this job.	
Procedure of investigating an accident—on reaching the spot; preventing accident from becoming more serious; finding out what happened; making arrangements for the injured to hospital; Locating witnesses and gathering evidence; making a detailed scientific investigation of accident regarding the type of vehicles, drivers, road conditions, weather conditions, skidmarks, photographs; possible and probable causes etc.; Making arrests if necessary; Hit-and-run accidents; Completing the field reports with condition diagram and collision diagram, and with statement of witness; Presentation of the case and reproducing the accident in the court; Special study of traffic laws with reference to accidents; Discussions on field experience.	60
G. <i>Traffic Records</i>	
(i) Records and statistical analysis for traffic accident reports—relating causes and types of accidents, causes and types of drivers, causes and types of vehicles, analysis of drivers and pedestrians involved in accident, analysis of hazardous locations, relating types of violations with the types of accidents, filling the reports, etc.	6.

## Subject

Hours of  
Lecture

(ii) Records and statistical analysis of traffic officers, enforcement reports—daily, monthly and periodical.

(iii) Accident spot maps, charts, route maps, planning statistics and other relevant records.

## H. General Education

Human relations, public relations, public administration, practical psychology, report writing, traffic safety, speech making, complete acquaintance with Delhi map—roads, regions, areas etc.

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125

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Basic training for all traffic police officers, *i.e.*, upper subordinates and upwards would need 65 hours of lecture plus field experience.

Those engaged on traffic accidents investigation work need additional 60 hours of lecture and demonstration work in the field. These officers will therefore need a total of 125 hours of lecture.

For each hour lecture four to six hours of home study and field study are recommended.

2. For lower subordinate staff training is necessary on traffic laws, direction and regulation of traffic, some aspects of enforcement, general education about traffic and road-users. All these subjects may be covered in 16 hours of lecture. Lower subordinate staff forms a high percentage of the staff and proper training to them is important. But what is even more important is a close direction and watch on them which will give them the desired training.

## APPENDIX III

### *An Outline of Proposed Course to be Conducted by the Traffic School*

The driver education and training course should essentially include the following class room instruction and field instruction programme.

#### A. *Class Room Instruction*

1. Orientation—reasons for the school, its purpose etc., public responsibility in road traffic—moral, social and religious responsibility.
2. Traffic Accident Problem—the national problem, the local problem, national and individual losses due to accidents etc.
3. Causes of Accidents—human limitations, road limitations, vehicle limitations; attentive driving and driving attitudes; fatigue; drinking and driving speed; reaction time and braking distance; physical and mechanical handicaps; effect of weather conditions; type of accidents, causes and their location in Delhi.
4. Traffic Laws and Road Rules—their why and how, their significance and safety value; laws for pedestrians, motor vehicle operators and other types of road-users; laws for driver licensing, drivers' records and the point system.
5. Enforcement—its meaning and purpose; the role of a road-user in making the enforcement successful.
6. Traffic Aids—signs, signals, marking; their meaning, significance and safety value.
7. Methods and Procedures—hand signals, turning movements, overtaking procedure, waiting, parking, loading and unloading, starting, crossing through the uncontrolled crossings; what to do in the event of an accident.
8. Attitudes and Characteristics—what is a correct attitude and its importance in traffic; relationship (rights and duties) with other road-users like pedestrians, cyclists, bullock-carts etc.; importance and techniques of defensive driving; accident-prone drivers.
9. Role of the various organizations concerned with traffic. Discussion on various questions and do's and don't's of traffic safety.

It should require about nine to ten lectures of 2 hours each to cover the class room instruction programme.

**B. Field Instructions**

1. Orientation to the vehicle—interior and exterior.
2. Starting engine and using the accelerator and co-ordination of clutch, accelerator and brake.
3. Moving in low gear, steering and stopping.
4. Moving in second gear, shifting and stopping.
5. Moving in all forward gears, steering and stopping.
6. Moving from higher to lower gear, steering and stopping.
7. Reverse gear, steering and stopping.
8. Turning movements.
9. Angle parking, parallel parking.
10. Manoeuvring the vehicle on grades.
11. Driving in urban and rural traffic; face and congested roads.

